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22918 7590 05/07/2004

PERKINS COIE LLP  
P.O. BOX 2168  
MENLO PARK, CA 94026



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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

**Lynnea B. Anderson** (Depositor's name)  
*Lynnea B. Anderson* (Signature)  
**August 9, 2004** (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,910	03/30/2001	Daniel J. Balbierz	13724-845	7532

TITLE OF INVENTION: TISSUE BIOPSY AND TREATMENT APPARATUS AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	08/09/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
VRETTAKOS, PETER J	3739	606-041000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

**Jacqueline F. Mahoney**  
**Peter J. Dehlinger**  
**PERKINS COIE LLP**

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

**RITA MEDICAL SYSTEMS INC MOUNTAIN VIEW, CALIFORNIA, US**

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

**4a. The following fee(s) are enclosed:**

- ☒ Issue Fee  
☒ Publication Fee  
☒ Advance Order - # of Copies **13**

**4b. Payment of Fee(s):**

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number **50-2207** (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *Jacqueline F. Mahoney* (Date) **August 9, 2004**

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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08/12/2004 SHASSEN2 00000012 09823910

01 FC:1504	300.00 OP
02 FC:8001	39.00 OP
03 FC:2501	665.00 OP

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## NOTICE OF ALLOWANCE AND FEE(S) DUE

22918 7590  
PERKINS COIE LLP  
P.O. BOX 2168  
MENLO PARK, CA 94026

05/07/2004

<b>DOCKETED</b>
FOR
8/9/04
PERKINS COIE LLP
INITIALS <i>PC</i>

EXAMINER
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VRETTAKOS, PETER J

ART UNIT	PAPER NUMBER
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3739

DATE MAILED: 05/07/2004

**COPY**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,910	03/30/2001	Daniel J. Balbierz	13724-845	7532

TITLE OF INVENTION: TISSUE BIOPSY AND TREATMENT APPARATUS AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	08/09/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

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I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

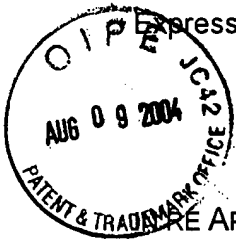
☒ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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Attorney Docket No. 37167-8039.US01 (13724-845)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF: Balbierz and Johnson

APPLICATION No.: 09/823,910

FILED: March 30, 2001

FOR: **TISSUE BIOPSY AND TREATMENT APPARATUS  
AND METHOD**

EXAMINER: Vrettakos, Peter J.

ART UNIT: 3739

CONF. No: 7532

DATE OF NOTICE OF ALLOWANCE:  
05/07/04

Transmittal of Issue Fee and Advance Order

Mail Stop Issue Fee  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance dated May 7, 2004, applicant herewith submits the following:

- ☒ Form PTOL-85B
- ☒ a copy of the Notice of Allowance showing Small Entity Status claim
- ☒ Fees:
  - 1) Issue Fee (37 CFR 1.18(a)): ☒ Small Entity: \$665.00
  - 2) Publication Fee (37 CFR 1.18(d)) - \$300.00
  - 3) Fee for 13 advance copies of the patent (37 CFR 1.19(a)(1)(i)) - \$39.00
- ☒ Enclosed is a check for \$1004.00 to cover the fees.
- ☒ Please charge any additional fees necessary for consideration of this paper to Deposit Account No. 50-2207.

Respectfully submitted,

Date: August 9, 2004

Jacqueline F. Mahoney  
Jacqueline F. Mahoney  
Registration No. 48,390

Correspondence Address:

Customer No. 22918  
Ph: 650 838-4410

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